

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

**IN RE PAYMENT CARD
INTERCHANGE FEE AND MERCHANT
DISCOUNT ANTITRUST LITIGATION**

This Document Relates to:

All Class Actions

MASTER FILE 05-MD-1720 (JG) (JO)

**NOTICE OF MOTION TO DISMISS
THE FIRST AMENDED
SUPPLEMENTAL CLASS ACTION
COMPLAINT**

ORAL ARGUMENT REQUESTED

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law in Support of Motion to Dismiss the First Amended Supplemental Class Action Complaint and Declaration of Andrew C. Finch and exhibit annexed thereto, the undersigned Defendants will move this Court, before the Hon. James Orenstein, at the United States Courthouse for the Eastern District of New York, 225 Camden Plaza, Brooklyn, NY 11201-1818, on a date and time determined by the Court, for an order pursuant to Fed. R. Civ. P. 12(b)(6) to dismiss the First Amended Supplemental Class Action Complaint with prejudice.

PLEASE TAKE FURTHER NOTICE that Defendants request oral argument on this motion.

Dated: New York, New York
March 31, 2009

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